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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

FLORENCE DIVISION

Hester Gasque, individually, Leslie Brown,)
individually and as mother and legal)
Guardian of Mickayla S. Brown, her minor)
daughter,)
Plaintiffs,)
vs.)
Williamsburg County School District,)
Ernestine Young in her individual capacity,)
and Ralph C. Fennell, Jr., in his individual)
capacity,)
Defendants.)

C.A. No. 4:07-CV-1757-RBII

**ORDER APPROVING
MINOR SETTLEMENT**

This matter comes before the Court on the petition of Leslie Brown ("Petitioner"), the mother and guardian of the minor Plaintiff, Mickayla Brown, for approval of a settlement of the personal and/or other injury claims of the minor. The minor Plaintiff is under the age of eighteen years.

A hearing was held before the Court on October 27, 2009. Present were the minor; her natural mother and guardian, Leslie Brown; and counsel for both parties.

Settlement of this claim after one day of trial has been reached for which Petitioner seeks approval of this Court. The claim arose out of the minor's alleged physical and emotional injuries suffered as a result of the alleged racially hostile environment at D.P. Cooper Elementary School from September 2006 to November 2006 to which the Plaintiffs allege that the principal was deliberately indifferent in addition to a false and malicious report of abuse to the Williamsburg County Department of Social Services allegedly made by the school principal

as set forth in the Petition and incorporated herein by reference. As a result of these alleged incidents, the minor allegedly sustained physical and emotional injuries.

I find:

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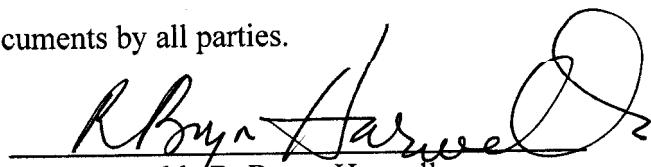
1. That Defendants shall pay the ~~gross~~ lump sum of Thirty-Five Thousand and no/100 Dollars (\$35,000.00) to Mickayla Brown in accordance with the Disbursement Form attached to the Petition as Exhibit A.
2. That the complaint in this matter states a claim upon which relief can be granted.
3. That counsel has ably and competently provided legal services to the Plaintiff.
4. That in accordance with Local Rule 17.02 D.S.C., and based on the Petition of Leslie Brown, that this settlement is fair, reasonable, proper, and in the best interest of the minor Plaintiff. I find that all parties are properly represented and are properly before the Court, and that no questions exist as to misjoinder or non-joinder of parties, and that the Court has jurisdiction over the subject matter and the parties.

Accordingly, the settlement is hereby approved. Upon payment of the above-mentioned sum by the Williamsburg County School District, said School District Board of Trustees, Ernestine Young, and Ralph C. Fennell, Jr., shall be fully and forever released and discharged from all claims, charges, and demands of Petitioner, the natural mother and guardian, and the minor Plaintiff arising from the alleged injuries mentioned in the petition.

Under the provisions of S.C. Code Ann. § 62-5-433(B) (Supp. 2000), Petitioner is hereby authorized to consummate the settlement. Because the minor will receive a sum greater than \$25,000, the appointment of a conservator will be required pursuant to S.C. Code Ann. § 62-5-433(B)(3). Defendants' attorney shall hold the settlement proceeds in trust until a conservator has been duly appointed for the minor child. Once a conservator has been

appointed, Defendants may disburse the settlement proceeds to Petitioner's attorney and the duly appointed conservator to be disbursed in accordance with the preceding provisions of this order. Proceeds disbursed to the duly appointed conservator shall be managed in accordance with directions from the court of competent jurisdiction duly appointing the conservator for the minor child.

The Court has reviewed the terms of this settlement and hereby authorizes and approves the execution of the appropriate documents by all parties.



The Honorable R. Bryan Harwell
U.S. District Judge

October 27, 2009

WE SO CONSENT:

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